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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THOMAS K. KURIAN, individually,)	CASE NO.: 2:19-cv-01757-GMN-EJY
)	
Plaintiff/Counterdefendant,)	
)	
vs.)	
)	
SNAPS HOLDING COMPANY, a North)	
Dakota Domestic Corporation,)	
)	
Defendant/Counterclaimant.)	
)	

STIPULATION AND ORDER TO VACATE ORDER FOR IN-PERSON
SETTLEMENT CONFERENCE SET FOR APRIL 25, 2023

Pursuant to the reasons set forth during the hearing held on December 13, 2022, the parties, by and through their respective counsel of record, stipulate and agree that there is good

1 cause to vacate the Order for an in-person settlement conference set for Tuesday, April 25, 2023,
2 as ordered by this Court in its Order of December 13, 2022 [ECF No. 71]. Further, the parties
3 stipulate and agree that the Court should reschedule an in-person settlement conference for a
4 time after the pending motion for an order to show cause is determined by the Court and the
5 outstanding issues relating to discovery are resolved. Furthermore, as a result of these
6 outstanding issues, the parties stipulate and agree that the deadline for the parties to submit a
7 Joint Proposed Trial Order (“JPTO”), which is currently May 25, 2023, pursuant to the Court’s
8 Order of March 9, 2023 [ECF 87], should be extended to a date at least thirty (30) days after a
9 rescheduled settlement conference. This is the fourth request for extension of the deadline to file
10 a proposed joint pretrial order in this matter.
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12 This action arises out of a contractual dispute that was originally filed in State Court by
13 the Plaintiff/Counterdefendant and removed to Federal Court by Defendant/Counterclaimant
14 under diversity jurisdiction.
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17 Since the Court Ordered an in-person settlement conference for Tuesday, April 25, 2023,
18 and issued an Order to compel certain discovery from Plaintiff, during the hearing on December
19 13, 2022 [ECF No. 71], Defendant filed a Motion for an Order to Show Cause relating to the
20 Court’s Order to Compel [ECF No. 74], which is pending before the Court. Thus, given these
21 outstanding disputes among the parties, good cause exists to vacate the Order for an in-person
22 settlement conference set for Tuesday, April 25, 2023, to reschedule an in-person settlement
23 conference for a time after the pending motion for an order to show cause is determined by the
24 Court, and after the outstanding issues relating to the discovery arising from the newly
25 discovered evidence are resolved. be extended to a date at least thirty (30) days after a
26 rescheduled settlement conference. This is the fourth request for extension of the deadline to file
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28

1 a proposed joint pretrial order in this matter.

2 Counsel for Plaintiff/Counterdefendant, E. Brent Bryson, Esq., and Counsel for
3 Defendant/Counterclaimant, Brendan R. Tupa, Esq., conferred on April 18, 2023, regarding this
4 stipulation and determined, pursuant to the above rules and circumstances, that good cause exists
5 to 1) vacate the Order for an in-person settlement conference set for Tuesday, April 25, 2023, 2)
6 reschedule an in-person settlement conference for a time after the pending motion for an order to
7 show cause is determined by the Court, and after the outstanding issues relating to discovery are
8 resolved, and 3) extend the due date for a proposed joint pretrial order by the parties until a date
9 to be determined by the Court at least 30 days after the in-person settlement conference.

10 Accordingly,

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Case No.: 2:19-cv-01757-GMN-EJY

*Kurian v. Snaps Holding Company
Stipulation and Order*

IT IS HEREBY STIPULATED AND AGREED by and between the parties that good cause exists to grant the parties' stipulation and that: 1) the Order for an in-person settlement conference set for Tuesday, April 25, 2023, [ECF No. 71] be VACATED; 2) an in-person settlement conference be rescheduled for a time after the pending motion for an order to show cause is determined by the Court, and after the outstanding issues relating to discovery are resolved, and 3) the due date for a proposed joint pretrial order by the parties be rescheduled from May 25, 2023, until a date to be determined by the Court at least 30 days after the in-person settlement conference.

DATED this 18th day of April, 2023.

DATED this 18th day of April, 2023.

E. BRENT BRYSON, LTD.

KAEMPFER CROWELL

By: /s/E. Brent Bryson

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ORDER

IT IS SO ORDERED this 18th day of April, 2023.


UNITED STATES MAGISTRATE JUDGE
ELAYNA J. YOUCHAH